

Docket No. 246918US2



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Hideki SUGIURA, et al.

GAU: Unassigned

SERIAL NUMBER: 10/759,029

EXAMINER: Unassigned

FILING DATE: January 20, 2004

FOR: TONER, DEVELOPER, IMAGE DEVELOPER AND IMAGE FORMING APPARATUS

**PETITION IN RESPONSE TO NOTICE OF INCOMPLETE NONPROVISIONAL  
APPLICATION**

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Notice of Incomplete Nonprovisional Application, dated August 4, 2004, Applicants call to your attention that pages 74-76 and drawing Figure 1 were present at the time of filing the above-noted application on January 20, 2004. Accordingly, Applicants submit pages 74-76, with the abstract appearing on page 76, of the specification and drawing Figure 1 along with copies of the filing receipt and Utility Transmittal form evidencing the filing of pages 74-76 of the specification and drawing figure 1.

Applicants respectfully request that the filing date of January 20, 2004, be granted and that the deposit account be refunded the \$130.00 fee submitted herewith as required by 37 CFR 1.17(a). A duplicate copy of this sheet is enclosed.

Acceptance is respectfully requested.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
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(OSMMN 05/03)

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Philip J. Hoffmann  
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✓  
OSMM&N File No. 246918US2

Dept.: E/M

By: GJM/PH/me

Serial No. New Application

In the matter of the Application of: Hideki SUGIURA, et al.

For: TONER, DEVELOPER, IMAGE DEVELOPER AND IMAGE FORMING APPARATUS

**Due Date: January 20, 2004**

The following has been received in the U.S. Patent Office on the date stamped hereon:

- 76 pp. Specification 20 Claims/Drawings 1 Sheet and 4 Pages Application Data Sheet
- Utility Patent Application Transmittal
- Request for Priority
- Priority Doc 1
- Check for \$1,190.00
- Dep. Acct. Order Form
- Fee Transmittal Form
- White Advance Serial Number Card

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**COPY**



<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>	Attorney Docket No.	246918US2
	First Inventor or Application Identifier	
	Hideki SUGIURA, et al.	
Title	TONER, DEVELOPER, IMAGE DEVELOPER AND IMAGE FORMING APPARATUS	

APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents		ADDRESS TO:	Commissioner for Patents Mail Stop Patent Application Alexandria, Virginia 22313
1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g. PTO/SB/17) (Submit an original and a duplicate for fee processing)			
2. <input checked="" type="checkbox"/> Specification	Total Sheets	<input type="text" value="76"/>	
3. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113)	Total Sheet	<input type="text" value="1"/>	
4. <input type="checkbox"/> Oath or Declaration	Total Pages	<input type="text"/>	
a. <input type="checkbox"/> Newly executed (original or copy)			
b. <input type="checkbox"/> Copy from a prior application (37 C.F.R. §1.63(d)) <i>(for continuation/divisional with box 17 completed)</i>			
i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §1.63(d)(2) and 1.33(b).			
5. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)			
6. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i>			
a. <input type="checkbox"/> Computer Readable Form (CRF)			
b. Specification or Sequence Listing on :			
i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or			
ii. <input type="checkbox"/> Paper			
c. <input type="checkbox"/> Statements verifying identity of above copies			
ACCOMPANYING APPLICATION PARTS			
7. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))			
8. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76			
9. <input type="checkbox"/> 37 C.F.R. §3.73(b) Statement	<input type="checkbox"/> Power of <i>(when there is an assignee)</i>	<input type="checkbox"/> Attorney	
10. <input type="checkbox"/> English Translation Document <i>(if applicable)</i>			
11. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449	<input type="checkbox"/> Copies of IDS Citations		
12. <input type="checkbox"/> Preliminary Amendment			
13. <input checked="" type="checkbox"/> White Advance Serial No. Postcard			
14. <input checked="" type="checkbox"/> Certified Copy of Priority Document (1) <i>(if foreign priority is claimed)</i>			
15. <input type="checkbox"/> Applicant claims small entity status. <i>See 37 CFR 1.27</i>			
16. <input checked="" type="checkbox"/> Other: Request for Priority			

17. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below:

Continuation       Divisional       Continuation-in-part (CIP)      of prior application no.

**Prior application information:**      **Examiner:**      **Group Art Unit:**

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## **18. CORRESPONDENCE ADDRESS**

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